



GAI-3712

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/542,674
Filing Date	04/01/00
First Named Inventor	Rouse, Groham M
Group Art Unit	3712
Examiner Name	FAYE FRANCIS
Attorney Docket Number	

Total Number of Pages in This Submission

5

ENCLOSURES (check all that apply)

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input checked="" type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | RESPONSE TO OFFICE ACTION |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | (2 PAGE LETTER) |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

Remarks

RECEIVED
MAY 15 2001
8700 MAIL ROOM**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm
or
Individual name

D Rouse Groham M. Rouse

Signature

D Rouse

Date

MAY 7, 2001

CERTIFICATE OF MAILINGI hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: **MAY 7, 2001**

Typed or printed name

Groham M. Rouse

Signature

D Rouse

Date

MAY 7, 2001

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)**195.00**

Complete if Known

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Filing Date	04/01/00
First Named Inventor	ROUSE, Graham M.
Examiner Name	FAYE FRANCIS
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METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

Deposit Account Name

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION (continued)

				Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)						
105	130	205	65					Surcharge - late filing fee or oath	
127	50	227	25					Surcharge - late provisional filing fee or cover sheet	
139	130	139	130					Non-English specification	
147	2,520	147	2,520					For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*					Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*					Requesting publication of SIR after Examiner action	
115	110	215	55					Extension for reply within first month	
116	390	216	195					Extension for reply within second month	
117	890	217	445					Extension for reply within third month	
118	1,390	218	695					Extension for reply within fourth month	
128	1,890	228	945					Extension for reply within fifth month	
119	310	219	155					Notice of Appeal	
120	310	220	155					Filing a brief in support of an appeal	
121	270	221	135					Request for oral hearing	
138	1,510	138	1,510					Petition to institute a public use proceeding	
140	110	240	55					Petition to revive - unavoidable	
141	1,240	241	620					Petition to revive - unintentional	
142	1,240	242	620					Utility issue fee (or reissue)	
143	440	243	220					Design issue fee	
144	600	244	300					Plant issue fee	
122	130	122	130					Petitions to the Commissioner	
123	50	123	50					Processing fee under 37 CFR 1.17(q)	
126	180	126	180					Submission of Information Disclosure Stmt	
581	40	581	40					Recording each patent assignment per property (times number of properties)	
146	710	246	355					Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355					For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355					Request for Continued Examination (RCE)	
169	900	169	900					Request for expedited examination of a design application	
Other fee (specify) _____									
SUBTOTAL (3) (\$) 195.00									

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES

Total Claims -20** = X =

Independent Claims -3** = X =

Multiple Dependent =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103 18	203 9	Claims in excess of 20	
102 80	202 40	Independent claims in excess of 3	
104 270	204 135	Multiple dependent claim, if not paid	
109 80	209 40	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)			

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Graham M. Rouse	Registration No. (Attorney/Agent)	Telephone 803 256 9743
Signature	<i>[Signature]</i>	Date	MAY 7, 2001

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Columbia, SC
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May 7, 2001

RK
6/5/01

#6/ELECTION

Ms Faye Francis
Art Unit 3712
Commissioner of Patents and Trademarks
Washington, D.C. 20231

Re: Application # 09/542,674

Dear Ms. Francis:

This letter is in response to your office action regarding this application mailed 2/7/01.

FIRST ELECTION: I elect Group 1, the species shown in Figs 1 and 5.

SECOND ELECTION: I elect the species of anchor aperture shown in Fig 17.

THIRD ELECTION: I elect the species of end tab connector shown in Figs 20 and 21.

When you assigned "Groups", you specified Figs associated with those Groups. I did not find such specifications for your understanding of anchor aperture species or end tab connectors species. Figs 20 and 21 are closely related and fall under the same claims description. This description occurs in claims #11 (1), #14 (1), and # 16 (1). It reads:

"(1) sections of framing material having notches, wrap around other sections of framing material having notches in such a way as to interlock;"

My understanding of the situation regarding the THIRD ELECTION above is described in the paragraph below. Please advise me if this is correct. If it is not correct, please explain what is correct.

While it is possible that there may be notch systems which are patentably distinct from this pair and it may be possible that each would be considered patentably distinct if filed separately; in this case, both illustrated examples fall within the generic claim "(1)" in the paragraph above. As such, I understand that both configurations might be allowed under "(1)" above. If prior art were to be found eliminating one, then "(1)" above might be revised to limit the claim to the remaining configuration.

Based on my understanding of your description of patentably distinct species, here is my understanding of the claims that read on the elected species above:

FIRST ELECTION:

- Claim 1
- Claim 2
- Claim 11

SECOND ELECTION:

I understand that within Claims 1,2, and 11 it is your present intention to research only the one species of anchor aperture (being that species shown in Fig 17).

THIRD ELECTION:

I understand that within Claims 1,2, and 11 it is your present intention to research only the one species of end tab connectors (being that species shown in Figs 20 and 21).

I have made, above, the elections as required by your office action dated February 5, 2001 and mailed February 7, 2001.

I wish to respectfully submit, however, that Claims 1, 12 and 15 are generic claims that appropriately encompass the "patentably distinct species" you identified in your correspondence.

Each of the species you identify is presented in my application as dependent upon all the restrictions of its "parent" or independent claim. Since all of the species have the common restrictions of the parent claim/s, I understand that the parent claim/s are therefore generic and may appropriately be researched as a unit without the necessity of an election restriction.

I would like to, and plan to, do additional research on the matter and submit further information and arguments in support of my position. I will, however, do that under separate cover as I am eager to file this response today so as to avoid unnecessary extension fees.

Successfully,



Graham Rouse